

House Bill 1056

By: Representatives Holt of the 112th, Lunsford of the 110th, and Byrd of the 20th

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 3 of Title 31 of the Official Code of Georgia Annotated, relating to county boards of health, so as to provide for the establishment of ad hoc legislative oversight panels to review constituent complaints regarding a county board of health; to provide for composition of the panel; to provide for officers and meetings; to provide for a quorum; to provide for hearings on complaints; to provide for a written recommendation to the Governor; to provide for the approval or disapproval of the recommendation; to provide for allowances for the members; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 3 of Title 31 of the Official Code of Georgia Annotated, relating to county boards of health, is amended by adding a new Code section to read as follows:

"31-3-17.

(a) In the event a complaint is made by a resident of a county regarding the county board of health of such county to a member of the General Assembly whose legislative district includes any part of that county, an ad hoc legislative oversight panel shall be convened at the discretion of the legislative member. A legislative member who receives such a complaint and wishes to convene such panel shall notify each member of the General Assembly whose legislative district includes any part of that county within ten days of receipt of the complaint.

(b) The ad hoc legislative oversight panel shall be comprised of each member of the General Assembly whose legislative district includes any part of that county. A legislative member may designate a local official within the county, including a county commissioner, city councilmember, mayor, or local board of education member, to serve in his or her place for a particular complaint or for the duration of the panel; provided, however, that

this shall not include a local official who serves on the county board of health. The panel shall remain in effect for the duration of the legislative terms of the members.

(c) The panel shall elect a chairperson from among its membership and a secretary, if deemed necessary by the panel. The panel shall convene in accordance with subsection (a) of this Code section at a time and location determined by the chairperson. The panel shall meet at the state capitol or in the county in which the county board of health which is the subject of the complaint is located.

(d) A majority of the panel shall constitute a quorum to conduct business. For a county which has only two legislative members whose district includes such county, both members shall be required to constitute a quorum.

(e) The panel shall conduct a hearing on the matter of the complaint and shall review all relevant evidence before the panel. The panel shall be authorized to issue subpoenas to compel any board member or employee of the board of health to appear, give sworn testimony, or produce documentary or other evidence.

(f) The panel shall make a written recommendation to the Governor regarding any sanctions against the county board of health that it recommends which may include, but shall not be limited to, a recommendation to reverse a fine or penalty imposed by the county board of health or to place a letter of reprimand in an employee's file. Within 30 days of receipt of a recommendation, the Governor shall approve or disapprove such recommendation by executive order of the Governor.

(g) The members of such panel shall receive the allowances authorized for legislative members of legislative committees. The funds necessary to pay such allowances shall come from funds appropriated to the House of Representatives and the Senate."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.